

UNITED STATES DISTRICT COURT

for the
Eastern District of Pennsylvania

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)
KARVARISE PERSON presently located at the Lehigh County
Jail in Allentown, PA under register number 77215-066
Case No. 22-mj-254

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A.

located in the Eastern District of Pennsylvania, there is now concealed (identify the person or describe the property to be seized):

See Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. § 1591	sex trafficking of children or by force, fraud, or coercion
18 U.S.C. § 1962(d)	conspiracy to participate in a racketeering enterprise

The application is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Task Force Officer Joseph Snell, HSI

Printed name and title

Sworn to before me and signed in my presence.

Date: 2/15/2022

/s/ Carol S. Wells

Judge's signature

City and state: Philadelphia, PA

Hon. Carol S. Wells, U.S. Magistrate Judge

Printed name and title

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In the Matter of the Search of)
(Briefly describe the property to be searched)
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Case No. 22-mj-254

KARVARISE PERSON presently located at the Lehigh County
Jail in Allentown, PA under register number 77215-066)
)

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search
of the following person or property located in the _____ Eastern _____ District of _____ Pennsylvania _____
(identify the person or describe the property to be searched and give its location):

See Attachment A.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property
described above, and that such search will reveal (identify the person or describe the property to be seized):

See Attachment B.

YOU ARE COMMANDED to execute this warrant on or before February 28, 2022 (not to exceed 14 days)
☒ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the
person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the
property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory
as required by law and promptly return this warrant and inventory to the duty magistrate.

☒ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C.
§ 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose
property, will be searched or seized (check the appropriate box)

☒ for _____ days (not to exceed 30) ☐ until, the facts justifying, the later specific date of _____ .

Date and time issued: 2/15/2022; 4:58 p.m./s/ Carol S. WellsJudge's signatureCity and state: Philadelphia, PAHon. Carol S. Wells, U.S. Magistrate JudgePrinted name and title

AO 93 (Rev. 11/13) Search and Seizure Warrant (Page 2)

ReturnCase No.:
22-mj-254

Date and time warrant executed:

Copy of warrant and inventory left with:

Inventory made in the presence of :

Inventory of the property taken and name of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

*Executing officer's signature*_____
Printed name and title

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Joseph Snell, being duly sworn, depose and state that:

INTRODUCTION

1. I, Joseph Snell, am a Criminal Investigator for the Reading Police Department (RPD) and a full-time Task Force Officer (TFO) for Homeland Security Investigations (HSI). I have been designated as a Customs Officer pursuant to 19 U.S.C. §1401(i) and am authorized to enforce all Customs and related laws, conduct searches, make seizures and arrests, and perform other law enforcement duties authorized by law. I graduated from the Reading Police Academy in August 2000 and was a police officer in the Commonwealth of Pennsylvania with the Robeson Township Police Department, Berks County, PA until January 2006, when I joined the RPD. As a TFO, I am currently assigned to the HSI Special Agent in Charge, Philadelphia, Pennsylvania office, and more specifically, to the Targeted Enforcement and Gang Group. In this capacity, I am charged with investigating violations of human trafficking, narcotics, money laundering and related crimes.

2. The facts in this affidavit come from my personal observations, my training and experience, information obtained from other law enforcement officers and witnesses, review of recordings and documents and other evidence developed during the investigation. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. Any observations not made by me, were made by other law enforcement officers involved in the investigation whom I know to be reliable and trustworthy.

II. PURPOSE OF THIS AFFIDAVIT

3. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a search warrant authorizing the collection of buccal swabs for the purpose of submitting them for a comparative DNA analysis from KARVARISE PERSON (D.O.B. 8/xx/1989; USM# 77215-066), a federal inmate who is currently in custody at the Lehigh County Jail (“LCJ”) in Allentown, Pennsylvania on pending federal sex trafficking and conspiracy charges.

4. Since this affidavit is being submitted for the limited purpose of securing a search warrant for buccal swabs, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to obtain the buccal swabs from PERSON for the purpose of submitting them for a comparative DNA analysis conducted by the Pennsylvania State Police, Bureau of Forensic Services.

5. I was personally involved in the investigation of PERSON, resulting in his arrest on December 10, 2018. As set forth below, and relevant to this application for a search warrant, I submit that there is probable cause to believe that on the person of KAVARISE PERSON, further described in attachment A, there will be evidence, contraband, fruits or instrumentalities further described in attachment B, of sex trafficking of children by force, fraud, or coercion, in violation of Title 18, United States Code, Section 1591, and conspiracy to participate in a racketeering enterprise, in violation of Title 18, United States Code, Section 1962(d).

III. PROBABLE CAUSE FOR ISSUANCE OF A SEARCH WARRANT

6. In 2020, PERSON was charged by a federal grand jury sitting in the Eastern District of Pennsylvania in a Superseding Indictment along with twelve others alleged to be

members of a violent street gang called the “Sevens” that trafficked in drugs, persons, and minors between in or about December 2017 and March 2019, primarily at a boarding house located at 125-127 South 4th Street in Reading, Pennsylvania (the “Boarding House”). That matter is set for trial on April 18, 2022, before the Honorable Edward Smith, United States District Judge. PERSON is charged in connection with his role in two conspiracies with other Sevens gang members, to include his role in engaging in violent acts in aid of a racketeering enterprise, in violation of Title 18, United States Code, Section 1962(d), and committing sex trafficking by force, fraud, and coercion, and of a minor, in violation of Title 18, United States Code, Section 1594(c), and numerous substantive crimes; specifically, and relevant to this application, sex trafficking of minors. The investigation revealed that PERSON repeatedly had forcible sex with a 17-year-old victim identified as “Minor #2” in the superseding indictment.

7. The Superseding Indictment charges, in Count One, that from in or about October 2018 to on or about December 10, 2018, defendants PERSON, SHAQUILE W. NEWSON, FATIEMA S. BIVENS and Savion GARCIA recruited Minor #2 to engage in commercial sex acts. In doing so, defendants PERSON and BIVENS created sexually explicit images of Minor #2 to use in online advertisements for commercial sexual encounters. Defendant NEWSON and Savion GARCIA forced Minor #2 to have sexual relations with each of them, to test her sexual performance for commercial sexual encounters, while PERSON kidnapped, threatened, and assaulted Minor #2 for not obeying a command, by dragging and pulling her down a hallway in the Boarding House, putting a knife to her neck, locking her in a room naked, and keeping her there for days. The Superseding Indictment also alleges that PERSON forced Minor #2 to have a sexual encounter with an unknown man while defendant PERSON held a gun to Minor #2’s head. PERSON also kidnapped, threatened, and assaulted Minor #2, including with a baton and

a hammer, and locked her naked in a dog kennel overnight in the Boarding House. Defendant WENDY ESPADA took photographs of Minor #2 for use in online advertisements for commercial sex trafficking, and at the direction of PERSON, used photographs she took and those supplied to her by defendant PERSON to create photograph collages for use in online advertisements for commercial sexual encounters. PERSON took Minor #2 to various hotels in Berks County, Pennsylvania to cause her to engage in commercial sex acts with unidentified men. The money Minor #2 earned through these sexual encounters was taken by PERSON, NEWSON, and ALEXANDER M. MALAVE. Further, BIVENS had Minor #2 engage in commercial sex acts with men at a residence in Reading, and BIVENS kept all the money paid for the sexual encounters, while supplying Minor #2 with drugs and alcohol to coerce her to continue to engage in commercial sex acts for defendant BIVENS' profit. The Superseding Indictment also alleges that, as part of the conspiracy, on or in late November 2018, on separate occasions, defendant ISIAH ROWE and Savion GARCIA escorted Minor #2 while walking down the street to ensure she did not flee.

8. Further, the Superseding Indictment charges, in Count Twelve, that from in or about October 2018 to on or about December 10, 2018, PERSON and defendants NEWSON and BIVENS and Savion GARCIA, knowingly recruited, enticed, harbored, transported, provided, obtained, and maintained Minor #2 and used force, threats of force, fraud, coercion and any combination of such means to cause Minor #2 to engage in a commercial sex act.

9. On December 10, 2018, law enforcement encountered Minor #2 when she was with PERSON and PERSON's girlfriend in a vehicle. At the time, law enforcement had a warrant to arrest PERSON for his role in the aggravated assault of Ronald Johnson in November 2018, when it was alleged the PERSON and defendants MALAVE and GARCIA attacked

Johnson inside of the Boarding House. PERSON fled the vehicle once law enforcement approached. PERSON was taken into custody after a brief foot chase, and a firearm was recovered after PERSON attempted to discard it during flight.

10. On the same day, December 10, 2018, Minor #2 informed law enforcement that she had been raped. Later that day, at St. Joseph's Hospital in Reading, a sexual assault forensic examination was conducted and a rape kit¹ was administered, collecting various samples of possible specimens containing DNA from Minor #2. The samples recovered during the examination were preserved by law enforcement and submitted to the Pennsylvania State Police Bureau of Forensic Services. These samples from Minor #2 were preserved so they could be compared against a DNA sample from the suspect who perpetrated the sexual assault on Minor #2 to determine whether the suspect's DNA profile was present on Minor #2, in support of corroborating the allegation of sexual assault. On February 10, 2022, I received a laboratory report on serology from Minor #2's rape kit, which documented positive results for the presence of spermatozoa on the vaginal swabs and smear taken from Minor #2 during her examination. I was also advised that a buccal swab sample from a suspect could be compared to the samples taken from Minor #2 to confirm the presence of the suspect's DNA in the evidence collected during her physical examination and preserved in the rape kit.

¹ A rape kit is used by medical professionals to gather and preserve physical evidence following an allegation of sexual assault. The term "rape kit" refers to the kit itself – a container that includes a checklist, materials, and instructions, along with envelopes and containers to package any specimens collected during the exam. Administering the rape kit may include a full body examination, including internal examinations of the mouth, vagina, and/or anus. It may also include taking samples of blood, urine, swabs of body surface areas, and sometimes hair samples. The medical professional performing the exam may take pictures of the victim's body to document injuries and the examination. The victim's items of clothing, including undergarments, may also be collected. Any other forms of physical evidence that are identified during the examination may be collected and packaged for analysis, such as a torn piece of the perpetrator's clothing, a stray hair, or debris.

11. On December 12, 2018, Minor #2 was interviewed by HSI investigators. Minor #2 detailed all of the information above as described in the Superseding Indictment. During the interview, Minor #2 presented with a visible, swollen black eye. Minor #2 detailed her previous encounters with PERSON, described in the Superseding Indictment. She specifically recounted an occasion when PERSON forced Minor #2 to engage in a sex act with a stranger in exchange for money while Minor #2 had a firearm pointed to her head. Minor #2 detailed another occasion when PERSON forced Minor #2 to engage in a three-way sex act with PERSON and another victim, which was initiated when PERSON held a knife to Minor #2's neck. The black eye visible on Minor #2 during the interview was the result of PERSON hitting Minor #2 in the face two days before the interview during an involuntary sexual encounter with PERSON and PERSON'S girlfriend.

12. Based upon the interview with Minor #2 on December 12, 2018, and her report that she was forcibly raped by PERSON two days earlier (the same day she was examined by medical professionals and a rape kit was collected) on December 10, 2018, I submit there is probable cause to believe that PERSON's DNA profile will be present when compared to the serology analysis on Minor #2's rape kit sample.

13. As alleged in the Superseding Indictment outlined above, the rape of Minor #2 was a repeated act and course of conduct within the scope of the conspiracy to participate in the racketeering enterprise by Sevens gang members, including PERSON. PERSON and his co-defendants forced Minor #2 to engage in commercial sex acts with customers so that the Sevens could profit financially. Minor #2 was used by PERSON to generate income for the Sevens gang, which was facilitated by bringing Minor #2 to various hotels in Pennsylvania where she would be forced to have sex with customers. The money Minor #2 earned from these encounters

were collected by the Sevens and withheld from her. Minor #2 was guarded by Sevens gang members so she could not escape from them and was supplied with drugs and alcohol to coerce her to continue to engage in commercial sex acts. I submit that the sexual assault that occurred on December 10, 2018, which resulted in Minor #2 presenting with a swollen eye, was perpetrated by PERSON and that Minor #2's presence with PERSON on that date, while he was in possession of a firearm, is further evidence that PERSON was engaging in a coercive course of conduct toward Minor #2 to compel her to engage in commercial sex for the Sevens gang.

IV. CONCLUSION

14. Your affiant, therefore, submits that there is probable cause to believe that evidence, further described in Attachment B, of violations of Title 18, United States Code, Section 1591 (sex trafficking of children or by force, fraud, or coercion) and Title 18, United States Code, Section 1962(d) (conspiracy to participate in a racketeering enterprise), will be found in the person of KAVARISE PERSON, further described in Attachment A, and respectfully requests that the attached search warrant be issued, authorizing your affiant to take buccal swabs, specifically, cotton swabbings from the inside of the mouth in the cheek area of PERSON for further testing and analysis by the forensic laboratory.

I swear under oath that the above is true and correct to the best of my knowledge and belief.

/s/ Joseph Snell

Joseph Snell, Task Force Officer
Homeland Security Investigations

Sworn to and subscribed before me this
15th day of February, 2022.

/s/ Carol S. Wells

HON. CAROL S. WELLS
U.S. MAGISTRATE JUDGE

ATTACHMENT A

Person to be searched

KARVARISE PERSON (D.O.B. 8/xx/1989; USM# 77215-066) who is currently in custody at the Lehigh County Jail (“LCJ”) in Allentown, Pennsylvania

ATTACHMENT B

Property to be seized

Buccal swabs, specifically, cotton swabbings from the inside of the mouth in the cheek area of KARVARISE PERSON for further testing and analysis by the Pennsylvania State Police Bureau of Forensic Sciences.